

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2015

***ROUGH DRAFT
JOURNAL***

FIFTY-THIRD DAY

APRIL 24, 2015

OFFICE OF THE CHIEF CLERK

BT

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FIFTY-THIRD DAY

Friday, April 24, 2015

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2015, convened at 11:37 o'clock a.m. with Vice Speaker Mizuno presiding.

The invocation was delivered by Mr. Bill Bass, after which the Roll was called showing all Members present with the exception of Representatives Cachola, Ing, Ito, Lowen, McDermott, Oshiro and Souki, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First and Fifty-Second Days was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 231 and 1113 through 1121) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 231, dated April 20, 2015, informing the House that the Hawaii Government Employees Association and the public employers have reached a tentative agreement concerning Collective Bargaining Unit 9 (Registered Nurses), and transmitting proposed amendments to S.B. No. 1084, SD 1, HD 1.

Gov. Msg. No. 1113, informing the House that on April 22, 2015, the following bill was signed into law:

S.B. No. 1183, SD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE LAND MAMMAL." (ACT 013)

Gov. Msg. No. 1114, informing the House that on April 22, 2015, the following bill was signed into law:

S.B. No. 1107, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR GENERAL ASSISTANCE." (ACT 014)

Gov. Msg. No. 1115, informing the House that on April 23, 2015, the following bill was signed into law:

S.B. No. 564, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS." (ACT 015)

Gov. Msg. No. 1116, informing the House that on April 23, 2015, the following bill was signed into law:

S.B. No. 913, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 016)

Gov. Msg. No. 1117, informing the House that on April 23, 2015, the following bill was signed into law:

H.B. No. 213, entitled: "A BILL FOR AN ACT RELATING TO JURY DUTY." (ACT 017)

Gov. Msg. No. 1118, informing the House that on April 23, 2015, the following bill was signed into law:

H.B. No. 966, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECTION 237-23, HAWAII REVISED STATUTES." (ACT 018)

Gov. Msg. No. 1119, informing the House that on April 23, 2015, the following bill was signed into law:

H.B. No. 940, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATION OF TOBACCO PRODUCTS." (ACT 019)

Gov. Msg. No. 1120, informing the House that on April 23, 2015, the following bill was signed into law:

S.B. No. 1106, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAID MANAGED CARE PROGRAM." (ACT 020)

Gov. Msg. No. 1121, informing the House that on April 23, 2015, the following bill was signed into law:

S.B. No. 822, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 021)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 653 through 661) were received and announced by the Clerk:

Sen. Com. No. 653, dated April 23, 2015, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 134, Nishihara, Chair; Espero/Tokuda, Co-Chairs;
HD 1, SD 2 Harimoto, Kouchi

Sen. Com. No. 654, dated April 23, 2015, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 754, Kahele, Chair; Baker, Co-Chair;
SD 2, HD 2 English, Taniguchi, Slom

Sen. Com. No. 655, transmitting H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO EXAMINE IF AND HOW OTHER STATES REGULATE TOUR OPERATORS WITHIN THEIR JURISDICTION," which was adopted by the Senate on April 23, 2015.

Sen. Com. No. 656, transmitting H.C.R. No. 155, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIAL COUNCIL TO APPOINT A COMMITTEE TO REVIEW AND RECOMMEND REVISIONS TO THE HAWAII PENAL CODE," which was adopted by the Senate on April 23, 2015.

Sen. Com. No. 657, transmitting H.C.R. No. 158, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII SISTER-STATE COMMITTEE TO EVALUATE AND DEVELOP RECOMMENDATIONS FOR THE INITIATION OF A SISTER-STATE RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE STATE OF DAKHLA OF THE REGION OF OUED ED-DAHAB-LAGOUIRA OF THE KINGDOM OF MOROCCO, AND FORWARD ITS RECOMMENDATION TO THE LEGISLATURE, PURSUANT TO SECTION 229-3, HAWAII REVISED STATUTES, FOR FURTHER ACTION," which was adopted by the Senate on April 23, 2015.

Sen. Com. No. 658, transmitting H.C.R. No. 168, HD 2, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONVENE A WORKING GROUP TO STREAMLINE THE STATE'S WORKERS' COMPENSATION PROCESS," which was adopted by the Senate on April 23, 2015.

Sen. Com. No. 659, transmitting H.C.R. No. 208, HD 1, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES CONGRESS AND THE UNITED STATES DEPARTMENT OF THE INTERIOR TO RESTORE FEDERAL HEALTHCARE FUNDING FOR U.S. RESIDENTS PRESENT UNDER THE COMPACTS OF FREE ASSOCIATION, IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND

CONTRIBUTIONS TO THE UNITED STATES OF AMERICA AND TO THE WORLD," which was adopted by the Senate on April 23, 2015.

Sen. Com. No. 660, dated April 23, 2015, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1440, Kidani, Chair; Green/Harimoto, Co-Chairs;
HD 1, SD 1 Kouchi, Slom

Sen. Com. No. 661, dated April 23, 2015, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 379, Green, Chair; Ruderman/Baker, Co-Chairs;
SD 2, HD 2 L. Thielen, Slom

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 84 through 86) were received by the Clerk and were placed on file:

Dept. Com. No. 84, from the Office of the Auditor, dated April 13, 2015, transmitting Report Number 15-02, Financial and Program Audit of the Deposit Beverage Container Program, June 30, 2014, pursuant to Section 23-9, HRS.

Dept. Com. No. 85, from the Office of the Auditor, dated April 14, 2015, transmitting their 2014 Annual Report, pursuant to Section 23-9, HRS.

Dept. Com. No. 86, from the Office of the Auditor, dated April 17, 2015, transmitting the FY2014 financial statement audit reports for Department of the Attorney General; Department of Transportation - Highways Division; and Oahu Metropolitan Planning Organization.

MISCELLANEOUS COMMUNICATIONS

The following miscellaneous communication (Misc. Com. No. 1004) was received by the Clerk and was placed on file:

Misc. Com. No. 1004, from the Hawaii Coalition Against Sexual Assault, dated April 1, 2015, transmitting the report, LGBTQ-Enhanced Best Practice Standards for the Delivery of Sexual Assault Services in Hawai'i, February 2015.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Yamane introduced members of the Bass family: Mrs. Carol Bass, wife of Mr. Bill Bass; Mrs. Francisco Segura; and Carmen Segura, 6th grader at Mililani Middle School.

Representative Say, on behalf of Representative Kobayashi and himself, introduced 4th grade students from Ali'iolani Elementary School: Perlynn Calep, Jason Cao, Ethan Chen, Alan Cooney, Leiya Furtado, Shaylene Ishida, Saydee Kauila, Steven Kuna, Anson Lucero-Lee, Makayla Miller, Amanda Nguyen, Jordan Nguyen, Logan Ouchi, Kemi Takiguchi, Haeley Tamura, Avin Tanioka, Juliana Xue, Junie Yan, Dayne Ahuna, Jyrum Bohol, Eure Deal, Jason Hong, Healani Kon, Kaylee Kwok, Ivan Li, Soren Monson, Graydon Morgan, Kailee Nera, Cam Tu Nguyen, Kiet Nguyen, Rylen Ogawa-Lu, Ilikea Piihia, Ava Puaatua, Bryson Ting and Faith Weichhaus; and their chaperones and teachers: Mr. Scott Sakurada, Ms. Trisha Kodama and Ms. Tanya Yamada.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair stated:

"House Bill 1075, House Draft 2, Senate Draft 2, will be deferred one legislative day."

H.B. No. 1075, HD 2, SD 2:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Saiki, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Cachola, Ito, Lowen, McDermott, Oshiro and Souki were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Saiki moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Cachola, Ito, Lowen, McDermott, Oshiro and Souki were excused.)

H.B. No. 354, HD 2, (SD 1)

H.B. No. 525, HD 2, (SD 2)

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. I would just like to thank the Members for all participating in natural fiber Hemp Aloha Friday, and if those who want to come up in the center for a picture right after Session, I think it'd be wonderful. We'd like to get this out worldwide. Thank you. And Mr. Speaker, if anyone has the cardboard container that used to carry hemp beer, if I could get the cardboard container back after Session. Thank you."

At this time, the Chair stated:

"The Chair would like to remind the Committee Chairs that today is Second Crossover Filing deadline for amended Senate Concurrent Resolutions. Please file your committee reports and drafts with the Chief Clerk's Office by 6:00 p.m. this evening."

ADJOURNMENT

At 11:47 o'clock a.m., on motion by Representative Evans, seconded by Representative Tupola and carried, the House of Representatives adjourned until 11:30 o'clock a.m., Monday, April 27, 2015. (Representatives Cachola, Ito, Lowen, McDermott, Oshiro, Souki and Tokioka were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 24, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 770, McKelvey/Luke, Co-Chrs.;
HD 1, SD 1 Hashem, McDermott

House Communication dated April 24, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measures:

H.B. No. 775, House Conferees Changed:
HD 1, SD 1 Representative Nishimoto added as Co-Chair.
 Representative Cachola discharged as Co-Chair.

S.B. No. 654, House Conferees Changed:
SD 1, HD 2 Representative Cachola added as Co-Chair.
 Representative Nishimoto discharged as Co-Chair. .

S.B. No. 768, House Conferees Changed:
SD 1, HD 1 Representative Cachola added as Co-Chair.
 Representative Nishimoto discharged as Co-Chair.

House Communication dated April 24, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 9, 2015, and gives its notice of intent to agree to the following House Bill:

H.B. No. 354, HD 2, SD 1

House Communication dated April 24, 2015, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 16, 2015, and gives its notice of intent to agree to the following House Bill:

H.B. No. 525, HD 2, SD 1